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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-218891.2 **DATE:** June 14, 1985
MATTER OF: Northwest Forest Workers Association--
Reconsideration

DIGEST:

To be considered an interested party so as to have standing to protest under the Competition in Contracting Act of 1984 and the General Accounting Office implementing Bid Protest Regulations, a party must be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. A trade association representing worker cooperatives, some of which submitted bids in response to the solicitation, is not an interested party.

Northwest Forest Workers Association (NFWA) requests reconsideration of our notice of May 17, 1985, which dismissed its protest against the award of a contract to Tepa Jalisco, Inc., under Department of Agriculture (USDA), Forest Service, invitation for bids No. 11-85-2, for planting trees.

We dismissed the protest because the protester did not comply with section 21.1(d) of our Bid Protest Regulations, 4 C.F.R. § 21.1(d) (1985), in that the protest indicated that a copy had been filed with the USDA regional counsel instead of the contracting officer.

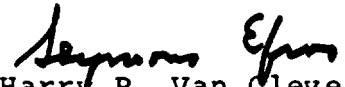
We affirm the dismissal.

Even if we assume NFWA filed the protest properly, we would not consider the protest on the merits. NFWA, a trade association representing worker cooperatives, some of which submitted bids in response to the solicitation, protests that Tepa Jalisco was allowed to receive an award for three items for which Tepa Jalisco verified its price. NFWA contends that information furnished by Tepa Jalisco shows that the prices for the three items were mistaken.

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Under section 2741(a) of the Competition in Contracting Act of 1984 (CICA), Pub. L. 98-369 (to be codified at 31 U.S.C. § 3551, et seq.), an "interested party" is defined as an "actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract." This statutory definition of an "interested party" is reflected in the language of our Bid Protest Regulations which implement the CICA. 4 C.F.R. § 21.0(a) (1985). Accordingly, with respect to all bid protests filed on or after January 15, 1985, the effective date of subtitle "D" of the CICA, only protests involving a direct federal procurement filed by a party that comes within the statutory definition of an interested party can be considered. See PolyCon Corporation, B-218304, B-218305, May 17, 1985, 64 Comp. Gen. _____, 85-1 C.P.D. ¶ _____.

As a trade association, NFWA represents firms that actually bid on the solicitation. However, NFWA itself is not an actual bidder. Therefore, under the CICA and our implementing Bid Protest Regulations, NFWA is not an interested party and its protest will not be considered.

for 
Harry R. Van Cleve
General Counsel